

# **Exhibit A**

**IN THE COURT OF COMMON PLEAS  
SUMMIT COUNTY, OHIO**

GEOFF D. CHEWNING  
3757 EDGEFIELD AVE. N.W.  
CANTON, OH 44709-2414

PLAINTIFF

VS.

DOLGEN MIDWEST, LLC  
C/O STATUTORY AGENT  
CORPORATION SERVICE COMPANY  
50 WEST BROAD STREET  
SUITE 1330  
COLUMBUS, OH 43215

DEFENDANT

CASE NO.

JUDGE

**COMPLAINT**

(with jury demand  
endorsed hereon)

Now comes Plaintiff Geoff D. Chewning, and for his complaint states as follows:

1. Plaintiff Geoff D. Chewning is a United States Citizen and resident of Stark County, Ohio
2. Defendant Dolgen Midwest, LLC is a foreign limited liability company registered to do business in the State of Ohio. Dolgen Midwest, LLC owns and operates retail stores under the trade name of Dollar General in Ohio.
3. Plaintiff Chewning is a former employee of Dolgen Midwest, LLC at its Dollar General Store in Akron, Ohio.
4. Plaintiff was the store manager of the store located at 944 Brown Street, Akron, Ohio 44311 from 2014 until his termination on January 23, 2021.

5. Plaintiff was allegedly terminated for an incident involving a shoplifter on or about January 16, 2021.
6. Plaintiff was working as store manager on January 16, 2021 and observed a woman stealing by putting items in an empty shopping bag.
7. Plaintiff confronted the woman who at first agreed to put her shopping bag behind the counter and retrieve it when she checked out.
8. However the woman then became combative and attempted to force her way behind the counter where a cashier/keyholder was working.
9. Plaintiff attempted to block the customer and she shoved him. Plaintiff was shoved into the cash register area and the cashier/keyholder he was trying to protect.
10. The customer then began throwing things around the store "trashing the area" as she was unhappy about not being able to retrieve the items she attempted to steal.
11. Plaintiff followed the customer outside the store to get the license number of the car which was waiting for the customer to exit the Dollar General store in order to get information to report the crimes that were committed by the shoplifter/assailant.
12. Plaintiff contacted the Akron Police numerous times on January 16, 2021 and gave numerous reports to the police regarding the incident.
13. Several days later, Plaintiff was contacted by Defendant regarding the incident. He recited the events and suggested that they watch the in-store cameras to confirm.

14. Plaintiff was then terminated on January 23, 2021 for violating company policy regarding the incident.
15. Defendant alleged that Plaintiff violated company policy by following the customer outside to get the license number of the car to report to the police.

**Count I**  
**Public Policy**

16. Plaintiff realleges the allegations contained in paragraphs 1 through 15 herein.
17. There is a clear public policy in the State of Ohio to promote workplace safety.
- This public policy is found in the Ohio Administrative Code, OSHA regulations and common law.
18. There is a clear public policy in Ohio that requires a person who witnesses a crime to report it to the police. That policy is found in ORC 2921.22.
19. Plaintiff's termination for attempting to get information to report a crime, ward off the assault of a customer, protect one of the employees he managed, and report the incident to the police violates these clear public policies.
20. Defendant had no business justification for Plaintiff's termination as company policy regarding shoplifters was not clear, did not address what to do when the customer assaulted the employee and the policy does not promote worker safety.
21. The policy also penalizes an employee for getting information to report a crime and is illegal per se.


22. Defendants' termination for Plaintiff's attempts to protect himself and his employee to get information to report a crime is in wanton and willful disregard of Plaintiff's rights and the clear public policies.

23. As a direct and proximate result of Defendant's actions, Plaintiff has been damaged in an amount to be shown at trial, including but not limited to lost wages, lost benefits, compensatory damages and expenses.

WHEREFORE, Plaintiff Geoff Chewing demands judgment against Dolgen Midwest, LLC as follows:

- A. Lost wages, benefits and bonuses in excess of twenty-five thousand dollars (\$25,000.00);
- B. Compensatory Damages in excess of twenty-five thousand dollars (\$25,000.00);
- C. Punitive Damages in excess of twenty-five thousand dollars (\$25,000.00);
- D. Attorney Fees;
- E. Costs of this Action and any other relief this court deems fit and necessary.

Respectfully submitted,



Robert J. Tscholl (0028532)  
400 South Main Street  
North Canton, OH 44720  
330-497-8614 – Telephone  
330-497-8613 – Facsimile  
Btscholl740@yahoo.com

**JURY DEMAND**

Plaintiff demands a trial by jury on all triable issues.



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Robert J. Tscholl  
Attorney for Plaintiff

**INSTRUCTIONS TO THE CLERK**

Please serve a copy of this Complaint by certified mail to the Defendant as listed in the caption above.



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Robert J. Tscholl  
Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS, SUMMIT COUNTY, OHIO**

CASE NUMBER: CV-2021-09-3008

GEOFF D CHEWNING  
3757 Edgefield Avenue NW  
Canton , OH, 44709

-VS-

**SUMMONS**

DOLGEN MIDWEST, LLC  
C/O Statutory Agent, Corporation Service Company  
50 West Broad Street, Suite 1330  
Columbus, OH 43215

**TO the following:**

DOLGEN MIDWEST, LLC  
C/O Statutory Agent, Corporation Service Company  
50 West Broad Street, Suite 1330  
Columbus, OH 43215

You have been named as a defendant(s) in a complaint filed in the Summit County Court of Common Pleas, Summit County Courthouse, 205 S. High St., Akron, Ohio, 44308.

A copy of the COMPLAINT is attached hereto. The name and address of the Plaintiff's attorney is:

ROBERT JOSEPH TSCHOLL  
400 SOUTH MAIN ST  
North Canton, OH 44720

**You are hereby summoned and required to serve upon the attorney listed above, or upon the party if they have no attorney of record, a copy of an answer to the COMPLAINT within twenty-eight (28) days after service of this summon on you, exclusive of the day of service. Your answer must be filed with the Court within three days after the service of a copy of the answer on the attorney, or upon the party, if there is no attorney of record.**

**If you fail to appear and defend, judgment may be rendered against you for the relief demanded in the COMPLAINT.**

Sandra Kurt  
Summit County Clerk of Courts

September 24, 2021

**JURY DEMAND**

Plaintiff demands a trial by jury on all triable issues.



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Robert J. Tscholl  
Attorney for Plaintiff

**INSTRUCTIONS TO THE CLERK**

Please serve a copy of this Complaint by certified mail to the Defendant as listed in the caption above.



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Robert J. Tscholl  
Attorney for Plaintiff